

KOSHIBA AGENA & KUBOTA

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Attorneys for Defendant  
UNITED PUBLIC WORKERS,  
AFSCME LOCAL 646, AFL-CIO,  
MUTUAL AID FUND TRUST

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED PUBLIC WORKERS,	)	CIVIL NO. CV03-00598 DAE/LEK
AFSCME LOCAL 646, AFL-CIO,	)	
MUTUAL AID FUND TRUST,	)	PLAINTIFF UNITED PUBLIC
	)	WORKERS, AFSCME LOCAL 646,
Plaintiff,	)	AFL-CIO, MUTUAL AID FUND
	)	TRUST'S POSITION STATEMENT
vs.	)	RE: DEFENDANT'S MOTION TO
	)	CONTINUE TRIAL AND TO
GARY W. RODRIGUES,	)	EXTEND DISCOVERY CUTOFF
	)	DATE; CERTIFICATE OF
Defendant.	)	SERVICE
	)	
	)	<u>HEARING:</u>
	)	DATE: January 11, 2007
	)	TIME: 11:00 a.m.
	)	JUDGE: Leslie E. Kobayashi
	)	
	)	TRIAL DATE: February 13, 2007

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PLAINTIFF UNITED PUBLIC WORKERS, AFSCME LOCAL 646,  
AFL-CIO, MUTUAL AID FUND TRUST'S POSITION STATEMENT  
RE: DEFENDANT'S MOTION TO CONTINUE TRIAL  
AND TO EXTEND DISCOVERY CUTOFF DATE

Plaintiff UNITED PUBLIC WORKERS, AFSCME LOCAL 646, AFL-CIO, MUTUAL AID FUND TRUST does not oppose continuing the trial date a few months in light of the difficulty in deposing witness Albert Hewitt.

Other than taking the Hewitt deposition, the discovery cutoff passed long ago and should not be extended. The trial in this case was previously continued without extending the discovery cutoff (except for the taking of the Hewitt deposition).

DATED: Honolulu, Hawaii, January 4, 2007.

/s/ Charles A. Price  
JAMES E.T. KOSHIBA  
CHARLES A. PRICE  
Attorneys for UNITED PUBLIC WORKERS,  
AFSCME LOCAL 646, AFL-CIO,  
MUTUAL AID FUND TRUST